



# UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1450  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/801,603	03/08/2001	George Henry Ahrens	AUS9-2000-0923-US1	5314

7590 03/11/2004  
Joseph T. Van Leeuwen  
P.O. Box 81641  
Austin, TX 78708-1641

EXAMINER
----------

WILSON, YOLANDA L

ART UNIT	PAPER NUMBER
----------	--------------

2113

DATE MAILED: 03/11/2004 5

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/801,603

Applicant(s)

AHRENS ET AL.

Examiner

Yolanda Wilson

Art Unit

2113

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 02 January 2004.  
2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.  
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-20 is/are pending in the application.  
4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.  
5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.  
6) ☒ Claim(s) 1,3-5,8,10,14 and 16-18 is/are rejected.  
7) ☒ Claim(s) 2,6,7,9,11-13,15,19 and 20 is/are objected to.  
8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.  
10) ☒ The drawing(s) filed on 08 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).  
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)  
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)  
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_.  
4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_.  
5) ☐ Notice of Informal Patent Application (PTO-152)  
6) ☐ Other: \_\_\_\_\_.

## **SECOND DETAILED ACTION**

### ***Claim Objections***

1. Claims 2,6,7,9,11,12,13,15,19,20 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 1,3,4,5,8,10,14,16,17,18 are rejected under 35 U.S.C. 102(b) as being anticipated by Royce et al. (USPN 5748884A). As appears in claim 1, Royce et al. discloses storing error data corresponding to each hardware platform error in a storage area, wherein the error data includes a flag indicating whether the error data has been reported; and reporting the error data in column 6, lines 66-67 – column 7, lines 1-24, column 8, lines 39-42.
4. As per claims 3 and 16, Royce et al. discloses wherein the error data is stored in an error buffer in column 7, lines 22-24.
5. As per claims 4,10 and 17, Royce et al. discloses receiving the error data at one of the partitions; and determining whether the errors included in the error data have previously been reported to at least one partition the determination including analyzing

Art Unit: 2113

the flag corresponding to each error in column 4, lines 31-36 and column 6, lines 66-67 – column 7, lines 14-41; column 8, lines 39-42.

6. As per claims 5 and 18, Royce et al. discloses transmitting one or more errors included in the error data in response to the determination being that the one or more errors have not previously been reported in column 6, lines 66-67 – column 7, lines 14-41.

7. As per claim 8, Royce et al. discloses one or more processors; one or more nonvolatile storage devices accessible by the processors, the nonvolatile storage devices including one or more system partitions in column 3, lines 64-67 – column 4, lines 1-52.


Royce et al. discloses a error buffer for storing error detected in the information handling system; and a error handling tool to manage the detected errors, the error handling tool including: means for identifying one or more errors corresponding to the information handling system; and means for including error data for each of the errors in the error buffer, wherein the error data includes a flag corresponding to each error indicating whether at least one system partition has been notified of the error in column 6, lines 66-67 – column 7, lines 1-24, column 8, lines 39-42, column 4, lines 31-36.

8. As per claim 14, Royce et al. discloses means for identifying one or more errors corresponding to the hardware platform; and means for including error data for each of the errors in a storage area, wherein the error data includes a flag corresponding to each error indicating whether at least one partition has been notified of the error in column 6, lines 66-67 – column 7, lines 1-24, column 8, lines 39-42, lines 31-36.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yolanda Wilson whose telephone number is (703) 305-3298. The examiner can normally be reached on M-F (7:30-4:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Beausoliel can be reached on (703) 305-9713. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
ROBERT BEAUSOLIEL  
SUPERVISORY PATENT EXAMINER  
TECHNOLOGY CENTER 2100